

REMARKS

Upon entry of the present amendment, claims 1, 3-15, and 21 will have been amended.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action, together with an indication of the allowability of all of the claims pending in the present application.

Applicant wishes to thank Examiner Torres and Supervisory Patent Examiner Trost for their outstanding courtesy and cooperation exhibited during the personal interview conducted on June 4, 2003.

During the above-noted interview, Applicant's representative discussed the features of the present invention and the advantages thereof with respect to the prior art. Moreover, Applicant's representative discussed the references cited by the Examiner and pointed out the shortcomings thereof with respect to the features of the present invention. Specifically, the arguments included, amongst other things, that the prior art did not disclose that the specific power ratio signals recited in the claims were measured in the mobile station and a difference calculated from the power ratios.

In particular, in discussing the FORRSEN et al. reference cited and applied by the Examiner, Applicant notes that this reference relates to beam forming based on measuring the position, by the base station, of a mobile station based on transmission signals from the mobile station received by the base station. See column 4, lines 1-14. With respect to WANG, the ratio of the data signal power and raw data noise power is

used for determining handoffs. See column 3, lines 7-24. Finally, DUNBRIDGE discloses using a receiving network that tracks users according to user signal power ratios that are received by the phase array antenna of the base station. See column 5, line 56 et seq. None of the references discloses measuring the signal in the mobile station.

Applicant pointed out that the present invention, *inter alia*, determines the position of the mobile user by measurement of a first and second signals in the mobile station. The Examiners both acknowledged that the prior art did not disclose this claimed features and admitted that this feature along with an appropriate argument would overcome the prior art rejection.

In view of the fact that none of the art of record, whether considered alone or in any proper combination, discloses or suggests the present invention as defined by the pending claims, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Additionally, minor amendments have been made to claims 1, 3-15, and 21 in order to make to them more consistent. In these amendments, Applicant has made several additional changes to the language of the claims to render the same more self consistent, as well as more fully in compliance with U.S. syntax, idiom and grammar. These amendments do not change the scope of the claims but are merely cosmetic changes that give rise to no file wrapper estoppel.

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With regard to dependent claims 3-14 and 16-20, Applicant asserts that they are allowable on their own merit and at least because they depend on one of independent claims 1 and 15, which Applicant submits have been shown to be allowable.

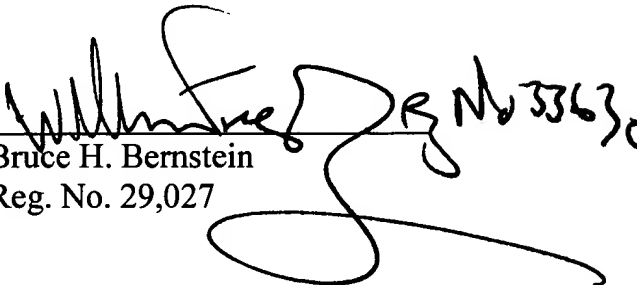
SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response or the present application, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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